

Remarks

Specification

The disclosure has been objected to for not having a Summary of the Invention. Applicant hereby respectfully traverses the objection and kindly points out to the Examiner that a “Summary of the Invention” section is optional since neither the rules nor the patent statutes requires a patent applicant to provide such summary. As discussed in 37 CFR 1.73:

A brief summary of the invention indicating its nature and substance, which may include a statement of the object of the invention, **should** precede the detailed description. Such summary **should, when set forth,** be commensurate with the invention as claimed and any object recited should be that of the invention as claimed [emphasis added]. 37 CFR 1.73.

Applicant respectfully points out that the use of the word “should” and the phrase “when set forth” indicates that inclusion of a “Summary of the Invention” section is optional rather than mandatory. As a result, it is believed there is no legal basis upon which to require a patent applicant to provide a “Summary of the Invention” section in a patent application or to require an applicant to amend the patent application to include such a summary. Therefore, reconsideration and withdrawal of this objection is respectfully requested.

Claim Rejections

Claims 1-12, 18-29, and 48-60 have been rejected under 35 USC 102(e) as being anticipated by U.S. patent 6, 925, 070 (“Proctor”).

Claims 15-17 have been rejected under 35 USC 103(a) as being unpatentable over Proctor in view of U.S. patent 7,164,663 (“Frank”).

Claims 30-47 have been rejected under 35 USC 103(a) as being unpatentable over Proctor in view of U.S. patent 7,065,036 (“Ryan”).

No statement of rejection was made for claims 13 and 14. However, the detailed comments on specific rejections indicate that claim 13 was rejected under Proctor and claim 14 was rejected under Proctor in view of Frank.

Applicants respectfully traverse all these rejections, as the cited references do not disclose or suggest every limitation of any pending claim, as the following analysis shows.

Independent claims 1, 18, 30, 39, 48, and 54 each recites that the payload (not the header) of a frame contains information specifying the length of each of multiple SDUs in the payload. This limitation was previously in dependent claims 5, 22, 34, 42, 51, and 57, which have now been cancelled as redundant. In addressing these dependent claims (in the bottom half of page 5 of the final office action), the rejection does not address this limitation. The rejection only states that Frank teaches a header that includes information about an end of each data unit. The claims that recited such a header have been cancelled. However, the claims still contain the previously-claimed limitation that the payload contains that information. This limitation is not taught by the cited references, and was never addressed in the previous rejection. As is well known in the communications industry, the header and the payload are distinctly different parts of a frame, and serve distinctly different purposes. The Examiner is respectfully requested to withdraw the rejection, and either allow the independent claims, or find other references that teach all the claimed limitations.

Dependent claims 6, 23, 35, 43, 52, and 58 each recites that the aforementioned information in the payload comprises a delimiter preceding each of the multiple SDUs,

and that each delimiter specifies the length of that SDU. This is an even narrower limitation than including the information in the payload.

The remaining claims each depend directly or indirectly from one of the above-mentioned claims, and therefore also contain the same limitations not disclosed or suggested by the cited references.

Conclusion

If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 50-0221.

Respectfully submitted,

Intel Corporation

Date: January 9, 2008 /John F. Travis/

John F. Travis
Reg. No. 43,203

Attorney Telephone: (512) 732-3918

Correspondence Address: Intel Corporation
c/o Intellevate, LLC
P.O. Box 52050
Minneapolis, MN 55402